
**Rural Development, Agriculture, &
Natural Resources Committee**

ESSB 5148

Brief Description: Concerning visible clothing requirements for hunting.

Sponsors: Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Wilson, L., Becker, Fortunato, Palumbo, Short, Takko, Wagoner and Warnick).

Brief Summary of Engrossed Substitute Bill

- Requires the Fish and Wildlife Commission to adopt rules determining the time and manner when a person hunting must wear fluorescent orange or fluorescent pink clothing.

Hearing Date: 3/6/19

Staff: Rebecca Lewis (786-7339).

Background:

The Fish and Wildlife Commission has the authority to adopt rules necessary to carry out its statutory duties, which includes the authority to adopt rules specifying gear, appliances, or other equipment and methods to be used while hunting. Currently, a person must wear a minimum of 400 square inches of fluorescent hunter orange exterior clothing while hunting, under certain conditions. Fluorescent hunter orange must be worn above the waist and be visible from all sides. These conditions include:

- Anyone hunting deer or elk during any modern firearm deer or elk general season is required to wear fluorescent hunter orange clothing. All modern firearm permit holders must wear fluorescent hunter orange clothing. This includes archers and muzzleloaders while hunting in game management units that overlap modern firearm seasons.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- Anyone hunting in an area that is open for modern firearm deer or elk hunting must meet fluorescent hunter orange clothing requirements if they are hunting bear, bobcat, cougar, coyote, deer, elk, fox, grouse, hare, rabbit, or raccoon.
- During any upland game bird season, anyone hunting upland game birds or rabbits with a modern firearm is required to wear fluorescent hunter orange clothing.

Failure to comply with the fluorescent hunter orange clothing requirements may result in a natural resource infraction. A natural resource infraction is a civil penalty for violations of certain statutes relating to natural resources. The exact monetary penalty for a natural resource infraction is set by the Supreme Court; however, the Legislature has limited the fine to no less than \$10 and no more than \$500.

Summary of Bill:

The Fish and Wildlife Commission must adopt rules determining the time and manner when a person hunting must wear fluorescent orange or fluorescent pink clothing, or both.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.